

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

**CONSTANCE FUSS,**

**Plaintiff,**

**v.**

**STATE OF NORTH CAROLINA and  
NORTH CAROLINA DEPARTMENT  
OF HEALTH AND HUMAN  
SERVICES,**

**Defendants.**

**1:05CV00585**

**J-U-D-G-M-E-N-T**

For the reasons set forth in the Memorandum Opinion and Order filed contemporaneously with this Judgment,

**IT IS HEREBY ORDERED AND ADJUDGED** that this action be, and the same hereby is, dismissed with prejudice.

/s/ P. Trevor Sharp  
United States Magistrate Judge

Date: August 9, 2006